IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

EDGE SYSTEMS LLC,) Civil Action No. 4:20-cv-04335
Plaintiff,)
V.))
AGELESS SERUMS LLC,))
Defendant.))
	_)

DECLARATION OF PAUL A. STEWART IN SUPPORT EDGE SYSTEMS LLC'S MOTION TO DISMISS COUNTERCLAIMS AND STRIKE AFFIRMATIVE DEFENSES

I, Paul A. Stewart, hereby declare as follows:

- 1. I am an attorney licensed to practice in the States of California. I am a partner in the law firm of Knobbe, Martens, Olson and Bear, LLP and counsel of record for Plaintiff Edge Systems LLC ("Edge"). I am admitted to practice *pro hac vice* before this Court, and, unless otherwise stated, I have personal knowledge of the matters set forth herein. If called as a witness, I could and would testify competently thereto.
- 2. I make this Declaration in support of Edge System LLC's Motion to Dismiss Counterclaims and Strike Affirmative Defenses.
- 3. Attached hereto as Exhibit 1 is a true and correct copy of the Complaint filed in the matter of *Edge Systems LLC v. Ageless Serums LLC*, Central District of

California case number 2:20-cv-09669 FLA (PVCx) ("the California Action") on October

21, 2020. The exhibits to the Complaint have been omitted.

4. Attached hereto as Exhibit 2 is a true and correct copy of Defendant

Ageless Serums LLC's ("Ageless Serums") Answer and Counterclaim filed on

November 30, 2020 in the California Action.

5. Attached hereto as Exhibit 3 is a true and correct copy of the Order

Granting Edge's Motion to Dismiss Counterclaims and Strike Affirmative Defense

entered by the Court on May 11, 2021 in the California Action.

6. Attached hereto as Exhibit 4 is a true and correct copy of Ageless Serums'

Third Amended Answer and Counterclaim filed on June 25, 2021 in the California

Action. The exhibits to this document have been omitted.

7. Attached hereto as Exhibit 5 is a true and correct copy of Edge's brief in

support of its Motion to Dismiss Ageless' Third Amended Counterclaim filed on July 9,

2021 in the California Action.

8. Attached hereto as Exhibit 6 is a true and correct copy of Edge's standard

Trademark License Agreement permitting its licensees to use the HydraFacial® mark to

promote hydradermabrasion treatments.

I declare under penalty of perjury under the laws of the United States of America

that the foregoing is true and correct.

Executed September 7, 2021 in Sunset Beach, California.

/s/ Paul A. Stewart

Paul A Stewart

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